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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/394,165	09/13/1999	WILLIAM J. SEQUEIRA	3063/40	3848
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BROWN, RAYSMAN, MILLSTEIN, FELDER & STEINER LLP 900 THIRD AVENUE NEW YORK, NY 10022				
			EXAMINER QUELER, ADAM M	
			ART UNIT 2178	PAPER NUMBER

DATE MAILED: 04/08/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/394,165

Applicant(s)

SEQUEIRA, WILLIAM J.

Examiner

Adam M Queler

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 January 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 13
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

1. This action is responsive to communications: Request for reconsideration and IDS filed 1/12/2004.
2. Claims 1-33 are pending in the case. Claims 1, 17, 20-22, and 29 are independent claims.
3. The objection to claim 6 is withdrawn in view of Applicant's remarks.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claim 1, 5-11, 14-20, and 22-33 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Logan et al. (USPN 5802299, issued 9/1/1998), herein referred to as Logan in view of Pollock.**

Regarding independent claim 1, Logan discloses: Storing locations where content is available (col. 4, l. 64-col. 5, l. 10), transformation techniques (col. 5, ll. 9-19), capturing content from locations (col. 6, ll. 33-57), transforming the content in accordance with transformation techniques (col. 6, ll. 59-63), and inserting and distributing the content (col. 7, ll. 5-25). Logan is silent as to the transformation techniques being within the template. Pollock teaches a method of adding a transformation technique to a web page (p. 1). Pollock teaches that adding the size attributes to an identifier of content locations, such as an tag, transforms the size of the content (p. 2). It would have been obvious to one of ordinary skill in the art at the time of the

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invention to combine Pollock and Logan, thereby transforming the contents in accordance with transformation techniques within the templates, in order to make content the correct size (Pollack, p. 1, para. 1).

Regarding independent claim 22, Logan discloses: Storing locations where content is available (col. 4, l. 64-col. 5, l. 10), transformation techniques (col. 5, ll. 9-19). Logan also discloses a defined sequence (col. 9, ll. 24-33) for pages within an album. Logan discloses a request (col. 9, ll. 34-40). Logan is silent as to the transformation techniques being within the template. Pollock teaches a method of adding a transformation technique to a web page (p. 1). Pollock teaches that adding the size attributes to an identifier of content locations, such as an tag, transforms the size of the content (p. 2). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Pollock and Logan, thereby transforming the contents in accordance with transformation techniques within the templates, in order to make content the correct size (Pollack, p. 1, para. 1).

Regarding dependent claim 26, Logan discloses: Transforming the content in accordance with transformation techniques (col. 6, ll. 59-63) and capturing content from locations (col. 6, ll. 33-57).

Regarding independent claim 29, Logan discloses: Storing locations where content is available (col. 4, l. 64-col. 5, l. 10), transformation techniques (col. 5, ll. 9-19). Logan also discloses a defined sequence (col. 9, ll. 24-33) for pages within an album, transforming the content in accordance with transformation techniques (col. 6, ll. 59-63) and capturing content from locations (col. 6, ll. 33-57). Logan is silent as to the transformation techniques being within the template. Pollock teaches a method of adding a transformation technique to a web

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page (p. 1). Pollock teaches that adding the size attributes to an identifier of content locations, such as an tag, transforms the size of the content (p. 2). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Pollock and Logan, thereby transforming the contents in accordance with transformation techniques within the templates, in order to make content the correct size (Pollack, p. 1, para. 1).

Regarding dependent claim 30, Logan discloses a request (col. 9, ll. 34-40).

Regarding dependent claim 27, Logan discloses a transmission system (col. 4, ll. 10-13).

Regarding dependent claims 28 and 33, Logan discloses the transmission system is the Internet (col. 4, ll. 10-13)

Regarding dependent claim 5, Logan discloses a data structure (col. 9, ll. 19-22), and sequence data specifying a presentation sequence (col. 9, ll. 24-56)

Regarding dependent claim 6, Logan discloses distributing based on sequence data (col. 9, ll. 24-56).

Regarding dependent claims 7, 24 and 31, Logan discloses distributing the content in a cyclical fashion (col. 9, ll. 50-53).

Regarding dependent claims 8, 25 and 32, Logan discloses distributing the content in random order (col. 9, ll. 50-53).

Regarding dependent claim 9, Logan discloses distributing the content in a predefined order (col. 9, ll. 24-33).

Regarding dependent claims 10 and 23, Logan discloses a duration time (col. 9, ll. 61-66).

Regarding dependent claim 11, Logan discloses a list of locations, retrieving them and storing them in a memory device (col. 18, ll. 26-54).

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Regarding dependent claim 14, Logan discloses the locations are Internet sites and capturing content compromises retrieving content from the sites (col. 6, ll. 37-44)

Regarding dependent claim 15, Logan discloses locations including locally accessible media (col.6, line 36).

Regarding dependent claim 16, Logan discloses locations including remote storage media (col. 6, ll. 37-44)

Regarding independent claim 17, Logan discloses storing locations where content is available (col. 4, l. 64-col. 5, l. 10), and transformation techniques (col. 5, ll. 9-19). Logan also discloses inserting and distributing the content (col. 7, ll. 5-25). It was well-known in the art to have a controller retrieve information from a memory. It would have been obvious to one of ordinary skill in the art at the time of the invention to have control the other engines with this controller in order to allow the components to communicate with each other.

Logan is silent as to the transformation techniques being within the template. Pollock teaches a method of adding a transformation technique to a web page (p. 1). Pollock teaches that adding the size attributes to an identifier of content locations, such as an tag, transforms the size of the content (p. 2). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Pollock and Logan, thereby transforming the contents in accordance with transformation techniques within the templates, in order to make content the correct size (Pollack, p. 1, para. 1).

Regarding dependent claim 18, Logan discloses distributing the content (col. 7, ll. 5-25).

Regarding dependent claim 19, Logan discloses identifying the templates (col. 5, ll. 9-19), and ordering scheme (col. 9, ll. 24-66).

Regarding independent claim 20, Logan discloses: Storing locations where content is available (col. 4, l. 64-col. 5, l. 10), transformation techniques (col. 5, ll. 9-19), capturing content from locations (col. 6, ll. 33-57), transforming the content in accordance with transformation techniques (col. 6, ll. 59-63), and inserting the content (col. 7, ll. 5-25). Logan is silent as to the transformation techniques being within the template. Pollock teaches a method of adding a transformation technique to a web page (p. 1). Pollock teaches that adding the size attributes to an identifier of content locations, such as an tag, transforms the size of the content (p. 2). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Pollock and Logan, thereby transforming the contents in accordance with transformation techniques within the templates, in order to make content the correct size (Pollack, p. 1, para. 1).

6. **Claims 2 and 21 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Logan and Pollock in further in view of HTML 4.01 Specification, W3C Proposed Recommendation, 24 August 1999, “<http://www.w3.org/TR/REC-html40-971218/present/frames.html>” Chapter 16, herein referred to as W3C-97.**

Regarding dependent claim 2, Logan discloses a plurality of location at which content is available. Logan is silent as to putting a plurality of content into slots. W3C-97 discloses inserting content into slots. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify W3C-97 into Logan in order to present documents in multiple views.

Regarding independent claim 21, Logan discloses: Storing locations where content is available (col. 4, l. 64-col. 5, l. 10), transformation techniques (col. 5, ll. 9-19), transforming the

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content in accordance with transformation techniques (col. 6, ll. 59-63), Logan is silent as to putting a plurality of content into slots. Logan also discloses a defined sequence (col. 9, ll. 24-33) for pages within an album. W3C-97 discloses inserting content into slots. It would have been obvious to repeat the step in order to fill up these slots.

Logan is silent as to the transformation techniques being within the template. Pollock teaches a method of adding a transformation technique to a web page (p. 1). Pollock teaches that adding the size attributes to an identifier of content locations, such as an tag, transforms the size of the content (p. 2). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Pollock with Logan and W3C-97, thereby transforming the contents in accordance with transformation techniques within the templates, in order to make content the correct size (Pollack, p. 1, para. 1).

7. Claims 3 and 4 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Logan, Pollock, and W3C-97 as applied to claim 2 above, and further in view of Qureshi et al. (USPN 6396500 filed 3/18/1999), herein referred to as Qureshi.

Regarding dependent claim 3, Logan and W3C-97 are silent as to resizing the content. Pollock teaches a method of adding a resizing technique to a web page. Pollock is silent as to slots. Qureshi discloses resizing the content to fit into a slot (col. 6, ll. 2-40). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Qureshi into Logan and W3C-97 in order to fit content onto the screen.

Regarding dependent claim 4, Logan and W3C-97 are silent as to resizing the content. Pollock teaches a method of adding a resizing technique to a web page. Pollock is silent as to slots. Qureshi discloses resizing the content to fit into a slot (col. 6, ll. 2-33). Qureshi also discloses

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resizing based on the coordinates and size of the slots (col. 6, ll. 37-40). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Qureshi into Logan and W3C-97 in order to fit content onto the screen.

8. Claims 12 and 13 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Logan and Pollock as applied to claim 1 above, and further in view of Allport (USPN 6097441—filed December 31, 1997).

Regarding dependent claim 12, Logan is silent as to encoding the content. Allport discloses encoding the content to be suitable for television display (col. 13, ll. 61-66). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Allport into Logan to enable display on television.

Regarding dependent claim 13, Allport discloses broadcasting pages over a television channel (col. 4, ll. 34-52).

Response to Arguments

9. Applicant's arguments filed 1/12/2004 have been fully considered but they are not persuasive.

Regarding Applicant's remarks on p. 4, regarding claim 1:

Applicant alleges that Pollack merely teaches an author of a web site how to prepare a properly formatted piece of HTML code. The Office disagrees. Pollock teaches that adding the size attributes to an *identifier of content locations*, such as an tag, *transforms* the size of the content (p. 2). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Pollock and Logan, thereby transforming the contents in accordance with

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transformation techniques within the templates, in order to make content the correct size (Pollack, p. 1, para. 1).

Regarding Applicant's remarks on Claims 17, 21, 22 and 29:

As Applicant has relied on the alleged deficiencies of the rejection of claim 1 to traverse the rejections of claims 17, 21, 22, and 29, and as those deficiencies have been addressed above, the claims remain rejected under the same rationale.

Regarding Applicant's remarks on the W3C-97 source:

The only occurrence of chapter 18, on the PTO-892 form was a typographical error. The previous Office Action, para. 8, correctly identifies the correct chapter as well as the URL. The correct chapter was also mailed to the Applicant with the last Office Action. Also, in paragraph 11, the Office stated that an older version of the same chapter was being used. In any event, another copy with a correct PTO-892 and another copy of the reference will be included. Claims 2, 3, 4 and 21 remain rejected under the same art.

Conclusion

10. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Adam M Queler whose telephone number is (703) 308-5213. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather R Herndon can be reached on (703) 308-5186. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AQ


STEPHEN S. HONG
PRIMARY EXAMINER